

# ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

## NOTICE OF RESCHEDULED<sup>1</sup> PUBLIC HEARING

**TIME AND PLACE:**

**Thursday, April 21, 2016, @ 6:30 p.m.**  
**Jerrily R. Kress Memorial Hearing Room**  
**441 4<sup>th</sup> Street, N.W., Suite 220-South**  
**Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 15-19 (411 New York Holdings, LLC – Consolidated PUD and Related Map Amendment  
@ Square 3594, Lot 800)**

**THIS CASE IS OF INTEREST TO ANCs 5D & 5C**

On August 10, 2015, the Office of Zoning received an application from 411 New York Avenue Holdings, LLC (the “Applicant”). The Applicant is requesting approval of a consolidated planned unit development (“PUD”) and related map amendment from C-M-1 to C-3-C.

The Office of Planning filed its report on September 11, 2015, which recommended that the case be set down by the Zoning Commission. The case was set down for hearing by the Zoning Commission on September 21, 2015.

The Applicant provided its prehearing statement on November 9, 2015.

The property that is the subject of this application consists of approximately 14,000 square feet of land area and is located at 411 New York Avenue, N.E. (Square 3594, Lot 800). The subject property is zoned C-M-1.

The C-3-C Zone District permits matter-of-right development for major business and employment centers of medium/high density development, including hotel, retail, office, housing, and other mixed-uses to a maximum lot occupancy to 100%, a maximum PUD floor area ratio (“FAR”) of 8.0 for commercial uses, including hotels, and residential uses and a maximum PUD height of 130 feet.

The Applicant proposes to develop the property with an 11-story hotel with space dedicated to an art gallery, outdoor sculpture terrace, studio spaces, and classroom. The project will have a density of 8.0 FAR and a building height of approximately 110 feet. It will include 47 parking spaces.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

## How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

<sup>1</sup> Due to the Metro closing on March 16, 2016, the scheduled hearing did not occur and had to be rescheduled.

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**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at [dcoz@dc.gov](mailto:dcoz@dc.gov) or at (202) 727-6311.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

**If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.**

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail ([donna.hanousek@dc.gov](mailto:donna.hanousek@dc.gov)), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition            | 60 minutes collectively |
| 3. | Organizations                    | 5 minutes each          |
| 4. | Individuals                      | 3 minutes each          |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov); or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND  
MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA,  
BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE  
ZONING COMMISSION.**